

COPIES TO: S/S 6510, K 6500, S/S Pending
RF
IO
IO/UNP



DEPARTMENT OF STATE

Approved by Mr. Kissinger
Gen. Haig to RLBrown
5/4/70.

Attention: *Muller*
Keep this study together.

Telegram sent
5/4/70

Bureau Informant

(See attached)
LDX 721

SECRET

May 3, 1970

MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

Enclosed for White House clearance is a copy of a telegram, approved by the Secretary, to Phnom Penh and Saigon instructing our Embassies to inform the Cambodian and Vietnamese Governments of our intention to notify the UN Security Council by formal letter on May 4 of the action announced by the President on April 30 and to seek their concurrence.

The Department believes that a prompt report to the Security Council is desirable in order to promote public and international support for our action in Cambodia. The U.S. position in Vietnam is and has been legally justified as self-defense recognized by Article 51 of the UN Charter and our position in Cambodia should be justified on that basis. Article 51 requires an immediate report to the Security Council whenever a member state takes individual or collective self-defense action. The U.S. has always made such reports in the past when we have taken self-defense action. The report contains a general explanation of our action in Cambodia but does not request Security Council action. Submission of the report does not limit or prevent us from taking other action at the UN nor from continuing our actions in Cambodia.

Since Article 51 requires an "immediate" report, the Department believes the report should be submitted without delay, following receipt of word that the Cambodian and Vietnamese Governments have been consulted.

Theodore L. Eliot, Jr.
Theodore L. Eliot, Jr.
Executive Secretary

Enclosure:

As stated. *Deptel 67092*

IO/UNP:JHLong:Revised S/S:RLBrown:5/3/70

DEPARTMENT OF STATE A/CDC/MR	
REVIEWED BY <i>Fulley</i>	DATE <i>10/4/80</i>
REASON(S)	
EXISTING MARKINGS ☐	
DECLASSIFIED/RELEASABLE ☒	
REMARKS	
EXEMPTIONS	

MICROFILMED
BY S/S: CMS

POL 27 CHAMB

XR POL 27 VIETS
XR DEF 6 US

